

Action brought on 11 August 2017 — Next design+produktion v EUIPO — Nanu-Nana Joachim Hoepp (nuuna)

(Case T-533/17)

(2017/C 330/23)

Language in which the application was lodged: German

Parties

Applicant: Next design+produktion GmbH (Frankfurt am Main, Germany) (represented by: M. Hirsch, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Nanu-Nana Joachim Hoepp GmbH & Co. KG (Bremen, Germany)

Details of the proceedings before EUIPO

Applicant for the trade mark at issue: Applicant

Trade mark at issue: European Union figurative mark (Representation of 'nuuna') — Application for registration No 10 772 606

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the First Board of Appeal of EUIPO of 24 May 2017 in Case R 1448/2016-1

Form of order sought

The applicant claims that the Court should:

- annul the decision of the First Board of Appeal of EUIPO of 24 May 2017;
- order the defendant to pay the costs.

Pleas in law

- Infringement of Article 8(1)(b) Regulation No 207/2009;
 - Infringement of Article 1(1) Regulation No 207/2009 and of the principle of autonomy;
 - Infringement of the principles of legal certainty, legality and sound administration.
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